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FAX COVER SHEET

Date: 12/3/2008
TO: Examiner M. Charles **FAX:** 571-273-8300
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Number of pages including cover sheet: 6

SERIAL NO.: 10/807,937
DOCKET NO.: 004-005A
FILED: MARCII 24, 2004
TITLE: DUAL RATIO BELT DRIVE SYSTEM

**RESPONSE TO: NON-COMPLIANT AMENDMENT MAILED
NOVEMBER 24, 2008**

ATTACHMENTS INCLUDE: ELECTION – 1 PAGE

**COPY OF NOTICE OF NON-COMPLIANT
AMENDMENT MAILED NOVEMBER 24, 2008
- 2 PAGES**

**REPLACEMENT DRAWING SHEET 2/9 AND
AN ANNOTATED DRAWING SHEET 2/9
- 2 PAGES**

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UNITED STATES PATENT AND TRADEMARK OFFICE

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Non Compliant Drawings

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,937	03/24/2004	Alexander Serkh	004-005A	5173
26683	7590	11/24/2008		
THE GATES CORPORATION			EXAMINER	
IP LAW DEPT. 10-A3			CHARLES, MARCUS	
1551 WEWATTA STREET			ART UNIT	PAPER NUMBER
DENVER, CO 80202			3656	
			MAIL DATE	DELIVERY MODE
			11/24/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DEC 03 2008

Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No.	Applicant(s)
	10/807,937	SERKH, ALEXANDER
	Examiner	Art Unit
	Marcus Charles	3656

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on 12 August 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____.
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____.
- 3. Amendments to the drawings:
 - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet" or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - C. Other _____.
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: _____.
- 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire **corrected amendment** must be resubmitted.
2. Applicant is given **one month, or thirty (30) days**, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

A **abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action, or
 An **allowance** of the application if the non-compliant amendment is an after-final amendment or an amendment filed in response to a Quayle action.

/Marcus Charles/ Primary Examiner, Art Unit 0600	
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